

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.733 of 2022**

Arising Out of PS. Case No.-153 Year-2021 Thana- DORIGANJ District- Saran

1. NAVIN KUMAR Son of Nand Lal Gupta Resident of Village- Bhairapur, Police Station- Doriganj, District- Saran (Chapra).
2. Rohit Kumar @ Rohit Kumar Sharma S/o Raju Sharma @ Raju Kumar Sharma Resident of Village- Kulhariya, P.S.- Buxar (Muffasil), District- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Mukesh Kumar Singh  
For the Opposite Party/s : Mr.Rita Verma

**CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR**  
**ORAL ORDER**

2      19-05-2022              Learned counsel for the petitioners is permitted to remove defect(s), as pointed out by the office, if any, within a period of four weeks from today.

Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

The petitioners apprehend their arrest in connection with Doriganj P.S. Case No. 153/2021 registered for the offences punishable under Sections /363/366A of the Indian Penal Code.

It has been submitted by the learned counsel for the petitioners that the petitioners have been falsely implicated in this case because they are friends of one Abhishek Kumar who



had an affair with Priya Kumari and, thereafter, they got court marriage, the certificate of which has been brought on record. Subsequently, the girl has been forcibly taken away by her father and statement under Section 164 Cr. P.C. was recorded under the pressure of her father in which she had levelled allegations against all the accused persons including these petitioners.

From the marriage certificate and other materials available on record, it seems that the girl had eloped with Abhishek and subsequently, under the pressure of her father, she has made statement under Section 164 Cr. P.C. implicating these petitioners also. The boy and girl had also filed a criminal writ petition which was subsequently withdrawn.

Learned counsel for the O.P. No. 2 submits that the petitioners do not deserve the anticipatory bail as they are involved in kidnapping.

Considered the submissions of the parties.

It seems that the present case arises out of a love marriage and the petitioners are the friends of the boy and they have no direct role in the occurrence as the boy and girl eloped and married.

No useful purpose will be served by sending these



young boys to jail. There is no chance that they will abscond.

Considering the facts and circumstances of the case,  
the present anticipatory bail application is allowed.

Accordingly, let the petitioners above named be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, XIII, Chapra, in connection with Doriganj P.S. Case No. 153 of 2021, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

**(Sandeep Kumar, J)**

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